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November 16, 2022

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Roanne L. Mann, U.S.M.J.
225 Cadman Plaza East
Courtroom 13C South
Brooklyn, NY 11201-1804

Re: Stidham v. 161-10 Hillside Auto Ave, LLC, et al.
Case No.: 1:21-cv-7163 (HG) (RLM)
MLLG File No.: 94-2019

Dear Judge Mann:

This firm represents the Defendants, 161-10 Hillside Auto Ave., LLC d/b/a Hillside Auto Outlet (hereinafter “Hillside Auto Outlet”), Hillside Automall Inc d/b/a Hillside Auto Mall (hereinafter “Hillside Auto Mall”) (Hillside Auto Outlet and Hillside Automall collectively hereinafter the “Corporate Defendants”), Ishaque Thanwalla (hereinafter “Thanwalla”), Jory Baron (hereinafter “Jory”), Ronald M. Baron (hereinafter “Baron”), and Andris Guzman (hereinafter “Guzman”) (Thanwalla, Jory, Baron, and Guzman hereinafter “Individual Defendants”) (the Corporate Defendants and Individual Defendants collectively hereinafter the “Defendants”) in the above-referenced case.

Defendants write to advise the Court that your undersigned and counsel for Plaintiff – Tiffany Troy, Esq. – attempted to meet and confer today following Defendants’ compliance with this Court’s Order dated November 9, 2022 and Plaintiff’s purported deficiencies raised therein.

The parties got through Defendants’ objections to Interrogatories Nos. 3, 4, 5, 6, and 8 before they reached No. 9, which sought the identify of every employee of the corporate defendants who was responsible for submitting employee information. I repeatedly asked Mrs. Troy how that information would be relevant in this case. Instead of answering, she insisted that we clearly do not agree and we should move on. When I insisted that she answer it, she refused and said she already told me why. When I pressed further, she stated that she would inform the Court why it is relevant in her motion to compel, it is not her job to explain this to me, and that I am not entitled to know her legal strategy.

Throughout the entirety of our twelve minute and thirty second call, she interrupted me and refused to hear me out, insisting that I am being difficult and not letting me get a word in. It was a circus. I informed her that I am recording the rest of the conversation and proceeded to record it. The recording demonstrates what occurred throughout the entire call. Despite my attempts to ascertain the relevance of her request for Interrogatory No. 9, I was not informed of same.

Instead, Mrs. Troy hung up the phone. I write to inform the Court that I have submitted the recording to a transcriptionist and wish to produce it to the Court as evidence of Plaintiff's bad faith in failing to properly meet and confer as required.

I therefore ask that the decision on any anticipated motion related to this issue from Plaintiff be stayed pending the submission of a certified transcript of our partially recorded telephonic met-and-confer. I thank this Court for its time and attention to this matter and regret that this application is necessary.

Dated: Lake Success, New York

November 16, 2022

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Emanuel Kataev, Esq.

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